THE HON'BLE SMT JUSTICE T.MEENA KUMARI

&

THE HON'BLE SRI JUSTICE G. CHANDRAIAH

-

WRIT PETITION NO.3342 OF 2007

Dated:9.4.2007

Between:

Kharga Parameshwar

..Petitioner

And

Superintendent of Police, Vizianagaram District & others

.. Respondents.

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THE HON'BLE SMT JUSTICE T.MEENA KUMARI
&
THE HON'BLE SRI JUSTICE G.CHANDRAIAH.

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WRIT PETITION NO.3342 OF 2007

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ORDER: (Per Hon'ble Smt. Justice T. Meena Kumari)

This writ petition is filed by the petitioner seeking a direction to produce his wife viz., Smt.Satya Kalyani.

According to the petitioner, he fell in love with one Satya Kalyani of Vizianagaram while he was working at the same place and consequently, both of them with the help of friends married on 2.2.2006 at Sri Sri Sri Venkateswara temple, Visakhapatnam. But, the 3rd respondent, who is the father of the said Satya Kalyani is going to perform her marriage by suppressing her marriage with the petitioner. The 3rd respondent is threatening to kill him in case he comes down to Vizianagaram. Hence the writ petition.

Heard the learned counsel.

A detailed counter has been filed by the 2nd respondent stating that,

"On the report given by the father of the alleged detenue on 13/14.7.2006, a case in Cr.No:83 of 2006 under sections 509, 448 and 506 (2) IPC was registered by the Vizianagaram Rural Police and investigated into. While so, on the report given by the petitioner, a case in Cr.No:27 of 2007 under sections 342 and 506 IPC was registered and both the crimes are pending investigation. On examination, the 3rd respondent informed that his daughter is living with him and she was not married to the petitioner."

Basing on the contents of the counter affidavit, it is submitted by

the learned Advocate General that in view of registration of crimes against both the parties, the question of alleged illegal detention, does not arise and this writ petition does not survive for any adjudication.

In view of the submission of the learned Advocate General and in view of the registration of the crimes against both the parties, We feel that the question of alleged illegal detention does not arise and as such, no further orders need be passed in this writ petition.

Accordingly, this writ petition is dismissed.

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Justice T. Meena Kumari

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Justice G.Chandraiah

Date: 9.4.2007
Gurc/nn

THE HON'BLE SMT. JUSTICE T.MEENA KUMARI
&
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

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WRIT PETITION NO.3342 OF 2007

(Order delivered by the Hon'ble Smt. Justice T. Meena Kumari)

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Dated: 9.4.2007